

REMARKS

I. Introduction

With the cancellation without prejudice of claim 12, claims 10 to 11 and 13 to 20 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

II. Rejection of Claims 10 to 20 Under 35 U.S.C. § 102(b)

Claims 10 to 20 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,144,534 ("Xue et al."). It is respectfully submitted that Xue et al. do not anticipate the present claims for at least the following reasons.

As an initial matter, claim 12 has been canceled herein without prejudice, thereby rendering moot the present rejection with respect to claim 12.

Claim 10 relates to a magnetoresistive layer system in an environment of a magnetoresistive layer stack. Claim 10, as amended herein without prejudice, recites that the layer system includes a layer array, including at least one hard magnetic layer and at least one soft magnetic layer, the layer array situated on and/or below the magnetoresistive layer stack, wherein the magnetoresistive layer stack works substantially on the basis of one of a GMR effect and an AMR effect. Claim 19 has been amended herein without prejudice in analogous manner. Support for the amendments made to claims 10 and 19 may be found, for example, on page 5, lines 18 to 20 of the Specification.

Xue et al. disclose only a layer or strip of magnetoresistive material and do not disclose, or even suggest, a magnetoresistive **stack**. Furthermore, it is not apparent that the magnetoresistive element of Xue et al. works substantially on the basis of either a **GMR effect or an AMR effect**.

Xue et al. also do not disclose, or even suggest, a layer system wherein a layer array, including at least one hard magnetic layer and at least one soft magnetic layer, is situated **on and/or below a magnetoresistive stack**. Notwithstanding the aforementioned failure to disclose or even suggest a

magnetoresistive *stack*, Xue et al. disclose, referring to Figure 2, a magnetoresistive element 66 that is situated next to hard magnets 58 and 60. In this regard, it should be noted that, as mentioned by Xue et al. at col. 4 lines 16 to 28, the outer regions 62 and 64 of element 52 are not magnetoresistive in the disclosed configuration due to hard biasing.

As such, it is respectfully submitted that Xue et al. do not anticipate claims 10 and 19.

As for claims 11 and 13 to 18, which ultimately depend from claim 10 and therefore include all of the features recited in claim 10, it is respectfully submitted that Xue et al. do not anticipate these dependent claims for at least the same reasons more fully set forth above in support of the patentability of claim 10.

As for claim 20, which ultimately depends from claim 19 and therefore includes all of the features recited in claim 19, it is respectfully submitted that Xue et al. do not anticipate this dependent claim for at least the same reasons more fully set forth above in support of the patentability of claim 19.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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